

January 8, 2013

A regular meeting of the Council of the City of Bedford, Virginia, was held in the Council Hall of the Municipal Building at 7:00 p.m., January 8, 2013

Members present: Mayor Robert T Wandrei; Councilwoman Mary L. Flood; Councilman Stacey L. Hailey; Councilman Steve C. Rush; Councilman W. D. Tharp; and Vice Mayor James A. Vest

Members absent: Councilman C. G. Stanley, Jr.

Staff present: City Manager Charles P. Kolakowski; City Attorney W. W. Berry, IV; and Clerk of the Council Teresa W. Hatcher

Mayor Wandrei opened the meeting and led all present in saying the Pledge of Allegiance to the Flag.

Mayor Wandrei declared that the minutes of a regular Council meeting held on December 12, 2012, and the minutes of an adjourned meeting held on December 18, 2012, were approved as distributed.

City Manager Kolakowski reported on the following:

- The Governor released his plan earlier in the day for providing the financing for transportation – the preliminary part of the plan is that the 17.5 cents tax on gasoline will be eliminated and proposing to replace it with an increase in the general sales tax of .8 cents, which is broader based and would generate additional funds – will report back to Council when further details are obtained. The City Manager said it will be important to contact the legislators and let them know if Council supports this issue.
- He plans to meet with individual members of Council regarding various issues, budget, and programming issues which will be coming to Council, prior to having a general discussion with Council.

Councilman Vest thanked members of Council for having the confidence in him to elect him Vice Mayor.

Chief of Police Day stated that he received a phone call from former Councilman Ronnie Rice that Officer Burdette had gone to his house to take a report of a mailbox that been hit by a car and no one had stopped and reported it. Officer Burdette fixed Mr. Rice's mailbox while he was there. Mr. Rice called and wanted to compliment the officer for having done that and to express his thanks. Chief Day said a little blurb was put on Facebook and it went nationwide and over 200,000 people have read the entry and there have been thousands of comments.

Mayor Wandrei asked the Chief to extend Council's appreciation to Office Burdette.

The Mayor said that at the first meeting in February a picture of the entire Council will be taken.

January 8, 2013

Mayor Wandrei said Council got a nice thank you note from Public Works and the staff for the bonus that was given.

Councilman Tharp and Vice Mayor Vest said they also received thanks for the bonus.

City Manager Kolakowski reported that clandestine methamphetamine labs are becoming more frequent in southwest and central Virginia. These labs can create toxic waste which is both expensive to mitigate as well as dangerous. Special training and equipment are needed to properly clean up a meth lab, which most localities do not have. The DEA recently deferred meth lab cleanup to the states; however, the Commonwealth of Virginia may pass the cleanup and associated costs to the localities. A small lab, which may consist of chemicals and a liter plastic bottle, could cost up to \$2,500 to clean up. Larger labs could cost many thousands of dollars. In most cases, a company specializing in mitigation of hazardous materials must be hired for the cleanup.

Mr. Kolakowski said this year, the Commonwealth passed legislation to enable localities to attempt to recover the cost of meth lab cleanup from those convicted of operating a lab through **Code of Virginia §15.2-1716.2 Methamphetamine lab cleanup costs; localities may charge for reimbursement.** (Any locality may provide by ordinance that any person who is convicted of an offense for manufacture of methamphetamine pursuant to § 18.2-248 or 18.2-248.03 shall be liable at the time of sentencing or in a separate civil action to the locality or to any other law-enforcement entity for the expense in cleaning up any methamphetamine lab related to the conviction. The amount charged shall not exceed the actual expenses associated with cleanup, removal, or repair of the affected property or the replacement cost of personal protective equipment used.) A local ordinance is needed to enact this legislation. The City Manager said Council was requested to approve a local ordinance authorizing the City to attempt to recover the cost of methamphetamine lab clean-up.

On motion by Vice Mayor Vest, seconded by Councilman Rush, voted upon and carried by a roll call vote, Council adopted the ordinance regarding methamphetamine lab cleanup costs. Roll call vote follows:

Councilwoman Flood	aye
Councilman Hailey	aye
Councilman Rush	aye
Councilman Stanley	absent
Councilman Tharp	aye
Vice Mayor Vest	aye
Mayor Wandrei	aye

The ordinance follows as adopted:

January 8, 2013

**ORDINANCE NO. 13-1**

**AN ORDINANCE PROVIDING FOR  
REIMBURSEMENT OF EXPENSES INCURRED FROM  
METHAMPHETAMINE LAB CLEANUP**

**NOW, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY  
OF BEDFORD, VIRGINIA**

**Section 1.** Chapter 38 of the City Code is amended by adding the following new section:

**SEC 38-9.** Reimbursement for Expenses Incurred from Methamphetamine Lab Cleanup.

Any person convicted of an offense for the manufacture of methamphetamine under Virginia Code § 18.2-248 or 18.2-248.03 shall, at the time of sentencing or in a separate civil action, be liable to the City for restitution of expenses incurred in the cleanup of any methamphetamine lab related to the conviction. The amount charged shall not exceed the actual expenses incurred associated with cleanup, removal or repair of the affected property, or the replacement cost of personal protective equipment used.

**Section 2.** This ordinance shall be effective upon enactment.

Mayor Wandrei said he would like to have a discussion at the next meeting to decide if Council would like to submit a letter in support the Governor's action or some other bill concerning finding a solution for transportation.

Mayor Wandrei adjourned the meeting at 7:12 p.m.